

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Southern District of New York

Case number (if known): \_\_\_\_\_ Chapter 7

Check if this is an amended filing

## Official Form 105

# Involuntary Petition Against an Individual

12/15

Use this form to begin a bankruptcy case against an individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against a non-individual, use the *Involuntary Petition Against a Non-individual* (Official Form 205). Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write name and case number (if known).

### Part 1: Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed

1. Chapter of the  
Bankruptcy Code

Check one:

Chapter 7  
 Chapter 11

### Part 2: Identify the Debtor

2. Debtor's full name

Stuart

First name

Middle name

Pivar

Last name

Suffix (Sr., Jr., II, III)

3. Other names you know  
the debtor has used in  
the last 8 years

\_\_\_\_\_

\_\_\_\_\_

Include any assumed,  
married, maiden, or trade  
names, or *doing business as*  
names.

4. Only the last 4 digits of  
debtor's Social Security  
Number or federal  
Individual Taxpayer  
Identification Number  
(ITIN)

Unknown

XXX - XX - \_\_\_\_\_

OR      **9** XX - XX - \_\_\_\_\_

5. Any Employer  
Identification Numbers  
(EINs) used in the last 8  
years

Unknown

EIN - \_\_\_\_\_

EIN - \_\_\_\_\_

Debtor <u>In re Stuart Pivar</u>		Case number (if known) _____																																																								
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Debtor

In re Stuart Pivar

Case number (if known) \_\_\_\_\_

**Part 3: Report About the Case****10. Venue***Check one:*

Reason for filing in this court.

Over the last 180 days before the filing of this bankruptcy, the debtor has resided, had the principal place of business, or had principal assets in this district longer than in any other district.

A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.

Other reason. Explain. (See 28 U.S.C. § 1408.) \_\_\_\_\_

**11. Allegations**

Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b).

The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a).

*At least one box must be checked:*

The debtor is generally not paying such debtor's debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount.

Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

**12. Has there been a transfer of any claim against the debtor by or to any petitioner?** No Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).**13. Each petitioner's claim**

Name of petitioner	Nature of petitioner's claim	Amount of the claim above the value of any lien
Philip Mezzatesta	Breach of contract.	\$ 650,000.00
Michael Mezzatesta	Breach of contract.	\$ 100,000.00
Anne Frances Moore	Breach of contract.	\$ 15,200.00
Total		\$ 765,200.00

If more than 3 petitioners, attach additional sheets with the statement under penalty of perjury, each petitioner's (or representative's) signature under the statement, along with the signature of the petitioner's attorney, and the information on the petitioning creditor, the petitioner's claim, the petitioner's representative, and the attorney following the format on this form.

Debtor

In re Stuart Pivar

Case number (if known) \_\_\_\_\_

**Part 4: Request for Relief**

Petitioners request that an order for relief be entered against the debtor under the chapter specified in Part 1 of this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, a certified copy of the order of the court granting recognition is attached.

Petitioners declare under penalty of perjury that the information provided in this petition is true and correct. Petitioners understand that if they make a false statement, they could be fined up to \$250,000 or imprisoned for up to 5 years, or both.

18 U.S.C. §§ 152 and 3571. If relief is not ordered, the court may award attorneys' fees, costs, damages, and punitive damages. 11 U.S.C. § 303(i).

**Petitioners or Petitioners' Representative**



Signature of petitioner or representative, including representative's title

**Philip Mezzatesta**

Printed name of petitioner

Date signed 06/13/2023  
MM / DD / YYYY

**Mailing address of petitioner**

**17 Woodbridge Lane**

Number Street

**Quogue** **NY** **11978**  
City State ZIP Code

If petitioner is an individual and is not represented by an attorney:

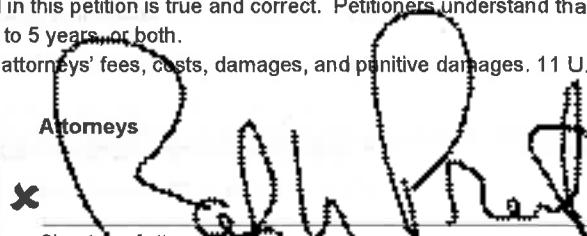
Contact phone \_\_\_\_\_  
Email \_\_\_\_\_

**Name and mailing address of petitioner's representative, if any**

Name \_\_\_\_\_

Number Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_



Attorneys

Signature of attorney

**Ralph E. Preite**

Printed name

**Koutsoudakis & Iakovou Law Group, PLLC**

Firm name, if any

**40 Wall Street, 49th Floor**

Number Street

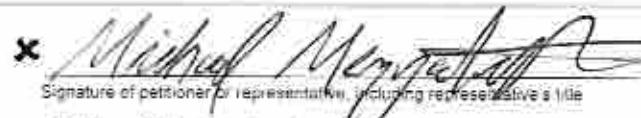
**New York** **NY** **10005**

City State ZIP Code

Date signed 06/15/2023  
MM / DD / YYYY

Contact phone 212-404-8644 Email ralph@kilegal.com

Debtors In re Stuart Pivar

  
Signature of petitioner or representative, including representative's title

Michael Mezzatesta

Printed name of petitioner

Date signed 06/13/2023

MM / DD / YYYY

Mailing address of petitioner

Colle Rucciolo II Monte 20

Number Street

Labro, Reiti

Italy 02010

City

State

ZIP Code

Name and mailing address of petitioner's representative, if any

Name

Number Street

City

State ZIP Code

  
Case number, if known

Signature of Attorney

Ralph E. Preite

Printed name

Koutsoudakis & Iakovou Law Group, PLLC

Firm name, if any

40 Wall Street, 49th Floor

Number Street

New York NY 10005

City

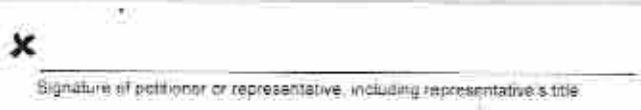
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ZIP Code

Date signed 06/15/2023

MM / DD / YYYY

Contact phone 212-404-8644 Email ralph@kilegal.com

  
Signature of petitioner or representative, including representative's title

Anne Frances Moore

Printed name of petitioner

Date signed

MM / DD / YYYY

Mailing address of petitioner

17 Woodbridge Lane

Number Street

City

State NY 11978

ZIP Code

  
Signature of Attorney

Ralph E. Preite

Printed name

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Number Street

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Name and mailing address of petitioner's representative, if any

Name

Number Street

City

State

ZIP Code

Debtor

In re Stuart Pivar

Case number (if known) \_\_\_\_\_

X

Signature of petitioner or representative, including representative's title

Michael Mezzatesta

Printed name of petitioner

Date signed

MM / DD / YYYY

Mailing address of petitioner

Number Street

Labro

Italy

02010

ZIP Code

City

Name

Number Street

City

State ZIP Code

X

*Anne Frances Moore*  
Signature of petitioner or representative, including representative's title

Anne Frances Moore

Printed name of petitioner

Date signed

06/15/2023  
MM / DD / YYYY

Mailing address of petitioner

17 Woodbridge Lane

Number Street

Westhampton Beach

NY

11978

ZIP Code

City

Name

Number Street

City

State

ZIP Code

X

Signature of Attorney

Ralph E. Preite

Printed name

Koutsoudakis & Iakovou Law Group, PLLC

Firm name, if any

40 Wall Street, 49th Floor

Number Street

New York

NY

10005

State

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Email ralph@kilegal.com

X

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